SINGLE BENCH

(2) (4) of 100/-

IN THE HON'BLE HIGH COURT OF JUDICATURE, CHHATTISGARH
At BILASPUR (C .G)

WRIT PETITION (C) No. 277 / 2007
(Other than Service Matter) (Local Body Matter)

PETITIONER :. **Tek Chand Agrawal**
S/oNand Kishore Agrawal.
Aged about 73 years,
Occupation –Business Man
R/o Near Janki Dharmashala Kharsia,
Dist. RAIGARH (C.G.)

12/2/07 A.P. Shrivastava 13/2/07

VERSUS

RESPONDENTS : 1. State of Chhattisgarh
Through Secretary ,
Ministry of Town Administration and
Development Raipur.

2. Director
Town Administration and Development
Department,Raipur (C.G.)

3.Chief Municipal Officer
Nagar Palika Parisad Kharsia
District Raigarh (Chhattisgarh)

RECEIVED-COPY 13/2/07 CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS OR ANY OTHE APPROPRIATE WRIT ORDER OR DIRECTION ETC.

(27)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (C.) NO.277 OF 2007

Petitioner : Tek Chand Agrawal

versus

Respondents : State of Chhattisgarh and others

Present : Mr. Uttam Pandey, counsel for the petitioner.
Mr. Utkarsh Verma, Deputy Government Advocate for the State/respondents No.1 and 2.
None appears for respondent No.3.

ORDER

(Passed on 20th Day of February, 2007)

Learned counsel appearing for the petitioner submits that the petitioner has made an application to the Chief Municipality Officer, Municipal Council, Kharsia on 19-1-2007 (P-7). The petitioner, without awaiting for reasonable time, has directly approached this Court seeking for a writ.

2. Learned counsel appearing for the petitioner is unable to point out as to what is the right and how it is infringed to seek enforcement under Article 226 of the Constitution of India. The learned counsel further submits that other persons have been allotted certain shop lands, but he has not been allotted shop land. This itself does not create any right in favour of the petitioner. At the most, the petitioner

may claim right of consideration for allotment of shop land. The petitioner has made an application for the same on 19-1-2007 (P-7). It tantamounts to abuse and misuse of judicial process that without awaiting for decision of the Municipal Council, the petitioner straightway rushes to the Constitutional Court for relief. This petition is not maintainable on this ground alone.

3. Thus, the writ petition is dismissed summarily. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Gopal